

Todd Logan (SBN 305912)
tlogan@edelson.com
EDELSON PC
123 Townsend Street, Suite 100
San Francisco, California 94107
Tel: 415.212.9300
Fax: 415.373.9435

Attorney for Plaintiff and the Putative Class

Robert D. Phillips, Jr. (SBN 82639)
rphillips@reedsmith.com
Thomas A. Evans (SBN 202841)
tevens@reedsmith.com
Ashley L. Shively (SBN 264912)
ashively@reedsmith.com
REED SMITH LLP
101 Second Street, Suite 1800
San Francisco, CA 94105-3659
Tel: 415.543.8700
Fax: 415.391.8269

Attorneys for Defendant Aspiro AB

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

JUSTIN BAKER-RHETT, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

ASPIRO AB, a Swedish limited liability
company, and KANYE WEST, an individual,
together d/b/a TIDAL,

Defendants.

Case No. 4:16-cv-02013-JSW

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING BRIEFING
SCHEDULE ON DEFENDANT ASPIRO
AB'S MOTION TO TRANSFER VENUE,
OR IN THE ALTERNATIVE MOTION TO
DISMISS.**

Date: Friday, August 19, 2016

Time: 9:00 a.m.

Dept.: Courtroom 5, 2nd Floor

[Local Rule 6-2]

Pursuant to Paragraph 4 of the Judge White's Standing Civil Orders and Northern District
Local Rule 6-2, Justin Baker-Rhett ("Plaintiff") and Defendant Aspiro AB ("Aspiro") by and
through their undersigned counsel, hereby respectfully stipulate and agree, subject to Court
approval, to (1) extend Plaintiff's deadline to respond to Defendant's Motion to Transfer Venue, or
in the Alternative Motion to Dismiss, from July 5, 2016 to July 19, 2016, and (2) extend

1 Defendant's deadline to reply to Plaintiff's response from July 12, 2016 to July 26, 2016. In
2 support of this Stipulation, the Plaintiff and Defendant Aspiro AB state as follows:

3 WHEREAS, Defendant filed its Motion to Transfer Venue or, in the Alternative, Motion to
4 Dismiss on June 20, 2016;

5 WHEREAS, Plaintiff believes it would be an inefficient use of the Court's and the Parties'
6 resources to fully brief and argue Defendant's motion, believes that the United States District
7 Court for the Southern District of New York is an acceptable venue for his claims, and would
8 prefer to focus on the merits of his case as quickly as possible;

9 WHEREAS, counsel for Plaintiff conferred with counsel for Defendant Aspiro AB on June
10 30, 2016 and July 5, 2016, to discuss the possibility of a stipulated transfer of venue;

11 WHEREAS, Plaintiff and Defendant Aspiro AB believe that a two-week extension of the
12 briefing schedule on Defendant Aspiro AB's pending Motion will allow all Parties to come to a
13 stipulated agreement regarding the appropriate venue (or venues) for this lawsuit;

14 WHEREAS, just two other time modifications have been made in this case: first,
15 Defendants' time to answer or otherwise respond to Plaintiff's Corrected First Amended Class
16 Action Complaint ("Complaint") was extended from May 29, 2016 to June 20, 2016 (dkt. 10), and,
17 second, Defendant Kanye West's deadline to respond to Plaintiff's Complaint was again extended
18 from June 20, 2016 to July 6, 2016, (dkt. 17);

19 WHEREAS, this proposed change will not alter the date of any other event or any deadline
20 already fixed by Court order;

21 NOW THEREFORE, Plaintiff and Defendant Aspiro AB hereby STIPULATE and AGREE
22 as follows, subject to Court approval:

23 **STIPULATION**

24 1. Plaintiff's deadline to respond to Defendant Aspiro AB's Motion to Transfer Venue, or
25 in the Alternative Motion to Dismiss is extended from July 5, 2016 to July 19, 2016.

26 2. Defendant Aspiro AB's deadline to reply to Plaintiff's response is extended from July
27 12, 2016 to July 26, 2016.

28 3. The hearing on Defendant Aspiro AB's motion shall remain set for August 19, 2016.

1
2 Dated: July 5, 2016

Todd Logan (SBN 305912)
EDELSON PC

3 By: /s/ Todd Logan

4 Todd Logan

5 Attorney for Plaintiff
6 JUSTIN BAKER-RHETT

7 Dated: July 5, 2016

Ashley Shively (SBN 264912)
8 REED SMITH LLP

9 By: /s/ Ashley L. Shively

10 Ashley L. Shively

11 Attorney for Defendant
12 Aspiro AB

~~PROPOSED~~ ORDER


PURSUANT TO STIPULATION, IT IS SO ORDERED:

1. Plaintiff's deadline to respond to Defendant Aspiro AB's Motion to Transfer Venue, or in the Alternative Motion to Dismiss is extended from July 5, 2016 to July 19, 2016.

2. Defendant Aspiro AB's deadline to reply to Plaintiff's response is extended from July 12, 2016 to July 26, 2016.

3. The hearing on Defendant Aspiro AB's motion remains set for August 19, 2016.

Dated: July 6, 2016


HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE